

**Invitation for Bids**  
**RFx No. 3160001171**  
**Smart No. 1450-17-R-IFBD-00001**  
**Interior Office Painting**  
**Project Manual**



**ENHANCE ★ PROTECT ★ CONSERVE**

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES  
1141 BAYVIEW AVENUE  
BILOXI, MISSISSIPPI 39530

Contact: Erin Gallagher – [Procurement@dmr.ms.gov](mailto:Procurement@dmr.ms.gov)

## **Introduction**

The Mississippi Department of Marine Resources (MDMR) is located in the Bolton Building at 1141 Bayview Avenue, Biloxi, Mississippi. The purpose of this solicitation is to obtain bids for the painting of MDMR Offices, excluding restrooms, located in certain areas on the 2<sup>nd</sup> Floor and on the entire 5<sup>th</sup> Floor of the Bolton Building. The Contractor will be responsible for providing supervision, labor, bonds, insurance, paint, material, equipment and all costs associated with this project. The work must begin within ten (10) days of the notice to proceed. The work must be completed within six (6) weeks of notice to proceed. The Contractor will be allowed to work on the project during the hours of 6:00 p.m. and 3:00 a.m. CST, Monday through Friday, excluding State Holidays. Additional work hours may be available but are not guaranteed and are at the sole discretion of the MDMR.

## **Deadlines/Timeline**

It is realized that time is of the essence for the completion of this project. Bidders are expected to adhere to the following timelines:

IFB Issue Date	<b>August 19, 2016</b>
Newspaper Advertising Dates:	<b>August 19 and August 26, 2016</b>
Mandatory Pre-Bid Site Meeting	<b>August 30, 2016, 10:00 p.m.</b>
Deadline for Questions to MDMR	<b>September 6, 2016, 2:00p.m. CST</b>
Posting of Written Answers to Questions	<b>September 8, 2016, 2:00 p.m. CST</b>
IFB Submission Deadline	<b>September 20, 2016 2:00 p.m. CST</b>

## **How to Bid**

Your bid submission must be **received** by MDMR no later than **September 20, 2016, at 2:00 p.m. CST**. You may submit your bid electronically through the State of Mississippi MAGIC portal, or you may personally deliver or mail your bid addressed to; Attention Erin Gallagher, Procurement Department (6<sup>th</sup> Floor) at 1141 Bayview Avenue Biloxi, Mississippi 39530. Remember, you are responsible for making sure your bid submission is received by the deadline. **Submissions received after the deadline will not be considered and will be returned unopened.** Instructions on how to submit your bid are set forth herein.

## **Bid Opening**

The bid opening is open to the public and will take place on **September 20, 2016 at 2:00 p.m. CST** on the 5<sup>th</sup> floor in the MDMR Conference Room located at 1141 Bayview Avenue Biloxi, Mississippi 39530.

## **Mandatory Pre-Bid Site Meeting**

A **mandatory** pre-bid site meeting will be held at the MDMR Offices located at 1141 Bayview Avenue on **Tuesday, August 30, 2016 at 10:00 a.m. CST** in the Executive Conference Room on the 6<sup>th</sup> Floor. The contractor or contractor's designee must attend this meeting to qualify to bid on this project. Paint color scheme will be provided at the pre-bid site meeting.

**This will be the only opportunity for contractors to visit the MDMR Offices to view the site. There will be no unscheduled site visits allowed.**

## **Work to be Included**

- The MDMR is seeking vendors for the interior painting and of various offices, hallways, stairwells, doors, window frames, trim, and any other surface as deemed necessary by the MDMR.
- Apply two coats of high quality interior acrylic latex in eggshell sheen to the gypsum wallboard.
- Apply two coats of high quality acrylic coating to the door and window frames.
- Contractor will be responsible for moving all furniture that is movable. Items that are permanently affixed will be painted around. The removal of highly sensitive, treasured or personal items will be the responsibility of the MDMR.
- Apply two coats of paint to all doors within the project area.

## **Materials**

- Materials for use in this project shall be the best-grade products of the types specified as regularly manufactured by recognized paint manufacturers, or as approved by the MDMR. Materials not bearing manufacturer's identification as standard best-grade product of his/her regular line will not be accepted.
- All materials are to be delivered to the job site in the original packages and containers bearing the name of the manufacturer, and all containers shall be new and unopened. Storage on the premises is to be as directed by the Project Manager. Safeguarding and fire protection shall be the responsibility of the Contractor.
- All paint and finishes applied shall be durable and washable. Surfaces shall stand up well under such washing as is required to remove pencil marks, ink, ordinary

soil, etc., without showing discoloration, loss of gloss, stain or other damage caused by normal use.

## **Surface Preparation**

- Hand sand all door and window frames using the mildest grit cloth as possible to provide a properly prepared surface capable of receiving the appropriate coating. Install one coat of interior metal primer to the door and window frames to which the substrate is exposed during the preparation process. Apply two coats of high quality acrylic coating to the door and window frames.
- Repair all damage of the gypsum wallboard equal to Level IV, as specified by the United States Gypsum Association. It is the intent to return the surfaces to condition of new. Apply one coat of high quality gypsum wallboard primer to the areas of repair.

## **Protection and Cleanup**

- Protection: All surfaces not being painted shall be fully protected against damage by accident or otherwise. If damage occurs, it shall be the responsibility of the Contractor to repair, replace, or repaint such surfaces at no additional cost to the MDMR in accordance with direction from the MDMR Project Manager.
- Hardware, fixture canopies, outlet covers, switch plates and other similar items shall be removed or loosened as required for painting work and then replaced by the Contractor.
- During the progress of the work, clean up all discarded paint materials, rubbish, refuse, cans, rags, etc. and remove from the job site. Observe special care in the control or disposal of combustible or flammable materials.
- Contractor shall take measures necessary to see that paint is placed only on surfaces to be painted. Any spills, spotting, or overspray shall be removed by Contractor as soon as possible, without damage.
- Cleaning glass: Upon completion of all painting work, clean all glass in work area. Remove all paint, dirt and other foreign materials on glass by proper methods of washing and scraping.

## **Workmanship**

- All work shall be done by painters and finishers especially skilled and proficient in executing their work using the very best methods for each kind or type. Painters and finishers will apply paint and finishes only when surfaces are dry and properly prepared. Painters and finishers will apply all materials at proper viscosity and uniform thickness.

- Two coats of paint are herein specified, however, the specified number is minimum. Uniform coverage, free from runs, streaks, or any other blemishes is required regardless of the number of coats required to achieve acceptable results.
- Cloudiness, spotting, holidays, laps, brush marks, curtains, sags, or other surface deviations or imperfections not consistent with first class workmanship will not be accepted by the MDMR. Work which shows carelessness, lack of skill in the execution, or which is defective due to any other cause shall be removed and repainted at no additional cost to the MDMR.
- The contractor shall not paint over dirt, rust, scale, grease, moisture, scuffed surfaces, or conditions otherwise detrimental to the formation of durable paint film. The contractor shall clean surfaces to be painted before applying paint.

### **Damages to MDMR Property**

- Any damages to existing facilities or structures resulting from this work shall be repaired by the contractor to the satisfaction of the MDMR, at no cost to the agency.

### **Warranty**

- All work shall be unconditionally guaranteed for one year from date of acceptance from MDMR.

### **Insurance Requirements**

In order to enter into a contract, you must meet minimum insurance protection requirements. You must provide evidence of your policies within ten (10) calendar days of a fully executed contract.

All insurance policies must be issued by companies licensed or holding a Certificate of Authority from the Mississippi Department of Insurance. All liability insurance policies must provide coverage to the MDMR as an additional insured.

All Insurance requirements can be found in Attachment C.

### **Bond Requirements**

**Bid Bond.** This is due with your Bid Proposal. The Bidder must submit a Bid Bond by a Surety licensed in Mississippi in the amount of five percent (5%) of the base bid. The Bid Bond shall be duly executed by the Bidder, a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department OR signed by the Surety AND

countersigned by a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department. As an alternative to the submitting of a Bid Bond, the Bidder may submit a certified check made out to the MDMR in the amount of five percent (5%) of the base bid. All checks received from Bidders will be returned upon request, unless a Bidder is one (1) of the three (3) apparent low Bidders. The three (3) apparent low Bidder's checks will be held for forty-five (45) days, unless a Contract is awarded and executed in less time.

**POWER OF ATTORNEY.** Each bid security must be accompanied by an appropriate Power of Attorney. No Power of Attorney is necessary with a certified check.

You must provide certain bonds within ten (10) calendar days of a fully executed contract. All bonds must be corporate surety bonds issued by a surety company authorized to do business in Mississippi. MDMR must be named as exclusive beneficiary. This project requires the following bonds:

**Performance Bond.** You must provide a performance bond for 100 percent of the bid. The bond helps guarantee timely and complete performance of the project.

**Payment Bond.** You must provide a payment bond for 100 percent of the bid. The bond guarantees payment of all workers and subcontractors working on this project.

All Bonds must be accompanied by an appropriate Power of Attorney.

## **Liquidated Damages**

It is acknowledged that the Contractor's failure to achieve substantial completion of the Work within the Contract Time provided by the Contract Documents will cause the MDMR to incur substantial economic damages and losses of types and in amounts which are impossible to compute and ascertain with certainty as a basis for recovery by the MDMR of actual damages, and that liquidated damages represent a fair, reasonable and appropriate estimate thereof. Accordingly, in lieu of actual damages for such delay, the Contractor agrees that liquidated damages may be assessed and recovered by the MDMR as against Contractor and its Surety, in the event of delayed completion and without the MDMR being required to present any evidence of the amount or character of actual damages sustained by reason thereof; therefore Contractor shall be liable to the MDMR for payment of liquidated damages in the amount of **Two Hundred and Fifty Dollars (\$250)** for each day that Substantial Completion is delayed beyond the Contract Time. Such liquidated damages are intended to represent estimated actual damages and are not intended as a penalty, and Contractor shall pay them to MDMR without limiting MDMR's right to terminate this agreement for default as provided elsewhere herein.

## **Authority to Do Business with MDMR**

- Vendors which are domestic corporations, limited liability companies, or limited partnerships must be in good standing with the Mississippi Secretary of State.
- Vendors which are foreign corporations, limited liability companies, or limited partnerships may be required to register with the Mississippi Secretary of State to transact business in Mississippi. *See* Miss. Code Ann § 79-4-15.01.

## **Term of Contract**

The start date for the contract is the date the contract is signed by the successful bidder and the Executive Director of the MDMR. The end date is Ninety (90) days from the start date. The contract may be extended subject to the availability of funds and at the sole discretion of the MDMR with the agreement of the Contractor. Any contract renewal or extension shall be under the same prices, terms, and conditions as in the original contract, and shall be agreed to, in writing, by the MDMR and the Contractor.

## **MDMR Contact and Questions/Requests for Clarification**

All questions and requests for clarification must be submitted by email to:

**Erin Gallagher, Procurement Director** [procurement@dmr.ms.gov](mailto:procurement@dmr.ms.gov)

Contact with anyone other than the Procurement Director regarding this IFB may result in respondent disqualification.

All questions/requests for clarification must be received no later than **September 6, 2016 at 2:00 p.m. CST.**

All questions/requests for clarification and the answers thereto will be published on the MDMR website (<http://dmr.ms.gov>) in a manner that all respondents will be able to view by **September 8, 2016 at 2:00 p.m. CST.**

The MDMR will not be bound by any verbal or written information that is not specified within this Project Manual unless formally noticed and issued by the contact person.

## **Amendments to this IFB**

Should an amendment or amendments to this IFB be issued by MDMR, it will be posted on the MDMR website (<http://www.dmr.ms.gov>) and on the Mississippi

Contract/Procurement Opportunity Search Board (Procurement Portal) website ([https://www.ms.gov/dfa/contract\\_bid\\_search/Bid](https://www.ms.gov/dfa/contract_bid_search/Bid)) in a manner that all potential

bidders will be able to view. **Furthermore, bidders must acknowledge receipt of any amendment to this IFB by identifying the amendment number and date in the space provided for this purpose on the Proposal Form (Attachment B) or, if your bid has already been submitted, by letter.** The acknowledgment must be received by the MDMR by the time and at the place specified for receipt of bids. It is the bidder's sole responsibility to monitor the website for amendments to the IFB.

### **How to Submit a Bid**

You are required to electronically register in Mississippi's Accountability System for Government Information and Collaboration (MAGIC) and you may submit your bid electronically through MAGIC, or you may submit your bid by paper submission via mail or hand delivery to MDMR as outlined below:

### **IFB SUBMISSION OPTIONS**

#### **Vendor Electronic Registration in MAGIC:**

- It shall be the responsibility of each bidder to ensure that its vendor profile is current in the MAGIC system. The website to register as a vendor with the State of Mississippi is: <http://www.dfa.ms.gov/dfa-offices/mmrs/mississippi-suppliers-vendors/>.
- For online learning instructions on submitting your bid electronically, select "Supplier Training" from the link listed above. Select the LOG820 Supplier Self-Service Course link and then click "Launch Course."
- If you have problems getting on the website, please contact the Mash Helpdesk at (601) 359-1343 or [mash@dfa.ms.gov](mailto:mash@dfa.ms.gov). You must receive a User ID and Password to access MAGIC's portal. **This process could take up to 72 hours to complete.** You may also contact Erin Gallagher at (228) 523-4147 or email [Procurement@dmr.ms.gov](mailto:Procurement@dmr.ms.gov).

#### **MAGIC Submission Requirements (option)**

- The bid submission must be submitted in MAGIC no later than 2:00 PM CST, September 20, 2016.
- Timely submission of the bid is the responsibility of the bidder. Bids received after the specified time will be rejected and returned to the bidder unopened. **It is suggested that you allow 48 hours before the due date and time for submission of the bid in MAGIC, especially if you are a first-time user.**



### **Paper Submission Requirements (option)**

- **The bid submission must be signed and submitted in a sealed envelope.**  
It must be submitted to 1141 Bayview Avenue, Procurement Department 6<sup>th</sup> Floor, Biloxi MS 39530 no later than 2:00 PM CST, September 20, 2016.
- Timely submission is the responsibility of the bidder. Submissions received after the specified time will be rejected and returned to the bidder unopened.
- The envelope must be marked with the bid opening date and time, and the number of the IFB (September 20, 2016, 2:00 PM CST; RFx No.3160001171; Smart No. 1450-17-R-IFBD-00001).
- The time and date of receipt will be indicated on the envelope or package by the MDMR staff.
- Submissions via facsimile (faxes) will not be accepted. It is suggested that if a submission is mailed to MDMR, it should be posted in certified mail with a return receipt requested. MDMR will not be responsible for mail delays or lost mail.
- All bids submitted by hand delivery or mail will become the property of the MDMR.
- Bids should be mailed or hand delivered to MDMR and labeled as follows:

**“IFB-INTERIOR OFFICE PAINTING PROJECT”**

RFx No. 3160001171

Smart No. 1450-17-R-IFBD-00001

Opening Date: 2:00 PM CST, September 20, 2016

Mississippi Department of Marine Resources

Procurement Department, 6<sup>th</sup> Floor

Attention: Erin Gallagher

1141 Bayview Avenue

Biloxi MS 39530

**SEALED BID – DO NOT OPEN**

(In lower left hand corner)

Bid for RFx No: 3160001171

Title: MDMR Interior Office Painting Project

Using Agency: Mississippi Department of Marine Resources

Certificate of Responsibility # \_\_\_\_\_ (for over \$50,000.00)

Under \$50,000.00 (add statement)

The **deadline** for receiving bids is **September 20, 2016 at 2:00 p.m.** Late submissions will not be accepted and will be returned unopened.

## **Requirements for Bidding**

Use the bid proposal form to identify your best price.

You ***must*** use the bid proposal form. Submissions without a bid proposal form will be rejected as nonresponsive. Do not amend or add to the bid form. We may reject modified bid forms as nonresponsive on a case-by-case basis.

You are responsible for the costs of preparing your bid. We do not accept liability for such expenses.

Any bidder claiming that its bid contains information exempt from the Mississippi Public Records Act (Miss. Code Ann. § 25-61-1, *et seq.*), shall segregate and mark the information as confidential and provide the specific statutory authority for the exemption. The bidder must submit all attachments. Requests to review proprietary information will be handled in accordance with the Mississippi Public Records Act.

## **Conditions of Solicitation**

When you submit a bid, then you promise that you will accept an award if offered. You also certify that you have not communicated with any other bidder or competitor regarding your bid or the price, your intention to submit a bid, or the factors you used to calculate the bid price.

The Mississippi Department of Marine Resources reserves the right to reject any and/or all bids and waive any minor informality.

## **Governing Law**

This solicitation and any resulting contract shall be governed in all respects by the laws of the State of Mississippi and any litigation with respect thereto shall be brought in the courts of Biloxi, Harrison County, Mississippi.

## **Relationship of Parties**

It is expressly understood and agreed that if MDMR enters into a contract with a bidder, it does so based on the purchase of goods and services and not based on an employer-

employee relationship or a joint venture relationship. For all purposes under any such contract:

- The Contractor shall not be deemed in any way, directly or indirectly, expressly, or by implication, to be an employee of MDMR; and,
- Amounts paid to the Contractor under a contract will be paid as a gross sum with no withholdings or deductions being made by MDMR for any purpose.

### **Contract Administration**

The contract awarded, if any, subsequent to this solicitation shall be administered by the MDMR. All invoices submitted by the Contractor for payment of goods received or services performed pursuant to the contract shall be submitted as follows:

Erin Gallagher, Procurement Director  
Mississippi Department of Marine Resources  
1141 Bayview Avenue

The MDMR will provide timely payment for services in accordance with Section 31-7-305 of the Mississippi Code Annotated, which generally provides for payment by the MDMR within forty-five (45) days of receipt of the invoice.

### **Compensation for Goods and Services**

Compensation for services will be in the form of a flat rate. The Contractor understands and agrees that MDMR is exempt from the payment of taxes.

### **Equal Opportunity Statement**

MDMR will select the successful bidder without regard to political affiliation, race, color, handicap, genetic information, religion, national origin, sex, religious creed, age, or disability.

### **Attachments**

The attachments to this IFB are made a part of this IFB as if copied herein in words and figures and include:

- Attachment A – Instructions to Bidders
- Attachment B – Proposal Form
- Attachment C - Insurance Requirements

## **Attachment A**

### **INSTRUCTIONS TO BIDDERS**

#### **PART 1 - GENERAL**

- 1.01 **QUESTIONS:** Questions should be directed to the Erin Gallagher at [procurement@dmr.ms.gov](mailto:procurement@dmr.ms.gov). Should a Bidder find discrepancies in, or omissions from, the Drawings or Project Manual, or be in doubt as to their meaning, the Bidder should immediately notify Erin Gallagher at [procurement@dmr.ms.gov](mailto:procurement@dmr.ms.gov). The MDMR will send written instruction(s) or interpretation(s) to all known holders of the documents. The MDMR will not be responsible for any oral instruction or interpretation.
- 1.02 **BIDDER'S QUALIFICATIONS:**
- A. **Certificate of Responsibility:** The Mississippi State Board of Contractors is responsible for issuing Certificates of Responsibility to Contractors. To be awarded a Contract for public work, Sections 31-3-15 and 31-3-21 c of the **Mississippi Code** require a Contractor to have a current Certificate of Responsibility at bid time and during the entire length of the job. The Certificate of Responsibility number issued becomes a significant item in all public bidding.
  - B. **Bid Under \$50,000:** If a Bidder submits a bid not exceeding \$50,000, no Certificate of Responsibility number is required; however, a notation stating the *bid does not exceed \$50,000* must appear on the face of the envelope, or a Certificate of Responsibility number.
  - C. **Bid Over \$50,000:** Each Bidder submitting a bid in excess of \$50,000 must show its Certificate of Responsibility number on the bid and on the face of the envelope containing the bid.
  - D. **Joint Venture Bid:** When multiple Contractors submit a joint venture bid in excess of \$50,000, a *joint venture* Certificate of Responsibility number must be shown on the bid and on the face of the envelope containing the bid. If the Multiple-Contractor joint venture has no *joint venture* Certificate of Responsibility number, each of the Contractors participating in the bid must indicate their individual Certificate of Responsibility numbers on the bid and on the face of the envelope.
- 1.03 **NON-RESIDENT BIDDER:** When a non-resident Bidder (a Contractor whose principal place of business is outside the State of Mississippi) submits a bid for a Mississippi public works project, one of the following is required and shall be submitted with the Proposal Form:
- A. **Copy of Law:** If the non-resident Bidder's state has a resident Bidder preference law, a copy of that law shall be submitted with the Proposal Form.
  - B. **Statement:** If the state has no such law then a statement indicating *the State of (Name of State) has no resident Contractor preference law* shall be submitted with the Proposal Form.
- 1.04 **DISQUALIFICATION OF BIDDER:** A Bidder may be disqualified for any of the following reasons: (see 600.53)
- A. Failure to comply with the bid requirements.
  - B. Bidder is in arrears on existing Contracts with the MDMR or another state agency.

- C. Bidder is, or anticipates being, in litigation or arbitration with the MDMR or another state agency.
- D. Bidder has defaulted on a previous Contract.

- 1.05 **CONDITIONS OF WORK:** Each Bidder must fully inform himself of all conditions relating to the construction of the Project and employment of labor thereon. Failure to do so will not relieve a successful Bidder of obligations to furnish all material and labor necessary to carry out the provisions of the Contract. Insofar as possible, the Bidder must employ methods, or means, which will not cause interruption of, or interference with, the work of any other Bidder, or Contractor.
- 1.06 **EXAMINATION OF SITE:** All Bidders, including the general Contractor and Subcontractors, shall visit the building site, compare the Drawings and Project Manual with any work in place and be informed of all conditions. Failure to visit the site will in no way relieve the successful Bidder from furnishing any materials or performing any work required to complete work in accordance with Drawings and Project Manual without additional cost to the Owner.
- 1.07 **LAWS AND REGULATIONS:** The Bidder's attention is directed to the fact that all applicable Mississippi state laws, rules and regulations of all authorities having jurisdiction over construction of the Project apply to the Contract.
- 1.08 **OBLIGATION OF BIDDER:** At the bid opening, each Bidder will be presumed to have inspected the site, read and become thoroughly familiar with the Drawings and the Project Manual, including all addenda.
- 1.09 **BID DOCUMENT DEPOSIT AND RETURN:** The deposit amount is indicated in the Advertisement for Bids. Upon returning the documents to the Owner within ten (10) days of the bid date and in good condition, all document holders will be refunded one-half (1/2) of the deposit. Further, any general contractor submitting a bid and all mechanical and/or electrical Subcontractors will be refunded one hundred percent (100%) of the deposit on one (1) set and fifty percent (50%) for each additional set. No partial sets of documents will be issued. Selected plan rooms will be issued one (1) set of documents without charge.

## PART 2 - PROPOSAL FORM

- 2.01 **METHOD OF BIDDING:** Lump sum, single bids received on a general contract will include general, mechanical and electrical construction and all work shown on Drawings or specified in the Project Manual.
- 2.02 **PROPOSAL FORMS:** The Bidder shall make all proposals on forms provided and shall fill all applicable blank spaces without interlineations or alteration and must not contain recapitulation of the work to be done. No oral or telegraphic proposals will be considered.
- 2.03 **TIME OF COMPLETION:** The Bidder shall agree to commence work on, or before, a date specified in a written *Notice to Proceed* and fully complete the Project within the calendar days indicated on the Proposal Form.

**2.04 BASE BID AND ALTERNATES:**

- A. On the Proposal Form, the Bidder shall write out the Base Bid amount in words and include the numerical amount. The written word shall govern.
- B. The Proposal Form shall contain a brief description of each alternate modifying the scope. The Bidder shall write out the amount in words and include the numerical amount for each alternate. The written word shall govern. Refer to Section 01030 entitled *Alternates* for additional information.

**2.05 SUBSTITUTIONS:** No substitutions, qualifications or redefining of the Specification requirements are allowed to be marked on the Proposal Form, unless specifically required by the Bid Documents. Refer to Section 01630 entitled *Substitutions and Product Options* which covers procedures after the award of Contract.

**2.06 ADDENDA:** Any addenda to the Drawings or Project Manual issued before or during the time of bidding shall be included in the proposal and become a part of the Contract. The Proposal Form will have ample space to indicate the receipt of addenda. When completing the Proposal Form, the Bidder shall list the Addendum number and the date received in spaces provided.

**2.07 BIDDER IDENTIFICATION:**

- A. **Signature:** The Proposal Form shall be signed by any individual authorized to enter into a binding agreement for the Business making the bid proposal.
- B. **Name of Business:** The name appearing on the Proposal Form should be the complete spelling of bidder's name exactly as recorded at the Secretary of State [<http://www.sos.state.ms.us/busserv/corp/soskb/csearch.asp>] which should be the same as used in bidder's application with the Mississippi State Board of Contractors [<http://www.msdoc.us/Search2.CFM>] (see 2.07, 3.01, 5.01, proposal form).
- C. **Legal Address:** The address appearing on the Proposal Form should be the same address recorded with the Secretary of State [<http://www.sos.state.ms.us/busserv/corp/soskb/csearch.asp>] which should be the same as used in bidder's application with the Mississippi State Board of Contractors [<http://www.msdoc.us/Search2.CFM>].
- D. **Certificate of Responsibility Number(s):** The Certificate of Responsibility Number(s) appearing on the Proposal Form should be the same number appearing in the current Mississippi State Board of Contractors Roster.

**2.08 BID SECURITY:** The Bid Security shall be in the form of a Bid Bond, or a Certified Check: (modified Dec 2013) (see also 4.07 herein)

- A. **Bid Bond:** The Bidder may submit a Bid Bond by a Surety licensed in Mississippi in the amount of five percent (5%) of the base bid. The Bid Bond shall be duly executed by the Bidder, a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department OR signed by the Surety AND countersigned by a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance

Department. [http://www.mid.state.ms.us/licapp/search\\_main.aspx](http://www.mid.state.ms.us/licapp/search_main.aspx) (No standard form is required for the Bid Bond.)

- B. **Certified Check:** The Bidder may submit a certified check made out to the MDMR in the amount of five percent (5%) of the base bid. All checks received from Bidders will be returned upon request, unless a Bidder is one (1) of the three (3) apparent low Bidders. The three (3) apparent low Bidder's checks will be held for forty-five (45) days, unless a Contract is awarded and executed in less time.

- 2.09 **POWER OF ATTORNEY:** Each bid security must be accompanied by an appropriate Power of Attorney. No Power of Attorney is necessary with a certified check.

### **PART 3 - SUBMITTING THE PROPOSAL FORM**

- 3.01 **SUBMITTAL:** A bid must be delivered to the address indicated on the Advertisement for Bids prior to the time and date stated. Only one original of the Bid Proposal shall be submitted which should be sealed in an opaque envelope marked, and mailed or hand-delivered as follows: (beginning 1/1/09 and for a reasonable time period, a duplicate copy will not disqualify your bid, but the second copy, without comparison, will be destroyed in the bid opening, not read aloud nor used thereafter, in order to prevent inadvertent differences in the duplicate forms): (also see 600.42)

*(In upper left hand corner)*

**Name of Firm** (complete spelling of bidder's name and address – exactly as recorded at the Secretary of

State which should be the same as you applied for at the Mississippi State Board of Contractors – see 2.07, 3.01, 5.01)

*(Bid shall be addressed and delivered to)*

Mississippi Department of Marine Resources

Attn: Erin Gallagher, Procurement Director

1141 Bayview Avenue

Biloxi, MS 39530

*(In lower left hand corner)*

Bid for RFx No: 3160001171

Title: MDMR Interior Office Painting Project

Using Agency: Mississippi Department of Marine Resources

Certificate of Responsibility # \_\_\_\_\_ (for over \$50,000.00)

Under \$50,000.00 (add statement)

If the Bid is mailed, the bid envelope shall be placed inside a second envelope to prevent inadvertent premature opening of the Proposal.

3.02 **MODIFICATION TO BID:** A bidder may modify the bid prior to the scheduled closing time indicated in the Advertisement for Bids in the following manner:

- A. **Notification on Envelope:** A modification may be written on the outside of the sealed envelope containing the bid.
- B. **Facsimile:** A facsimile (fax) will not be acceptable.

3.03 **WITHDRAWAL OF BID:** Any bid may be withdrawn prior to the scheduled time for opening of bids. However, bids may not be withdrawn until forty-five (45) days after bid opening.



#### **PART 4 - BID OPENING AND AWARD OF CONTRACT**

- 4.01 **OPENING OF BIDS:** Bids will be publicly opened shortly after the time stated in the Advertisement for Bids. Bidder representatives are invited; however, attendance is not mandatory.

Closure of agency preventing the opening of bids at the advertised date and time due to Force Majeure Event reasons will result in bids being publicly opened . . . on the next business day that the agency shall be open and at the previously advertised time.

- 4.02 **IRREGULARITIES:** The omission of any information requested on the Proposal Form may be considered as an informality, or irregularity, by the awarding public body when in their opinion the omitted information does not alter the amounts contained in the submitted bid proposal, or place other Bidders at a disadvantage.

- 4.03 **PROTEST:** Any protest must be delivered in writing to the MDMR within twenty-four (24) hours after the bid opening.

- 4.04 **ERRORS:** Any claim of error and request for release from bid must be delivered in writing to the MDMR within twenty-four (24) hours after the bid opening. The Bidder shall provide sufficient documentation with the written request clearly proving an error was made.

- 4.05 **AWARD OF CONTRACT:** The Owner reserves the right to reject any, or all bids. A Contract will be awarded on the basis of the low base bid, or low combination of base bid and those alternates selected by the MDMR in any order determined to be in the best interest of the Using Agency and which produces a total within available funds.

- 4.06 **FAILURE TO ENTER INTO A CONTRACT:** The Bidder shall forfeit the Bid Security to the MDMR as liquidated damages for failure, or refusal, to execute and deliver the Contract, Bond and Certificate of Insurance within ten (10) working days after notice of the acceptance of the bid/receipt of Contract(s) from the MDMR.

- 4.07 **SECURITY FOR FAITHFUL PERFORMANCE:** (see also 2.08)

Simultaneously, with delivery of the executed Contract, the Contractor will furnish a Surety Bond, or Bonds, as security for faithful performance, the payment of all persons performing labor on the project, and furnishing materials in connection with this Contract. The Surety on such Bond, or Bonds, will be a duly authorized surety company satisfactory to the Owner and meeting all of the following requirements:

- A. Licensed at the time of award by the State of Mississippi's Commissioner of Insurance for the purpose of providing surety. [http://www.mid.state.ms.us/licapp/search\\_main.aspx](http://www.mid.state.ms.us/licapp/search_main.aspx)
- B. Listed at the time of award in the Department of the Treasury's **Federal Register** as a company holding certificates of authority as acceptable sureties on Federal Bonds, commonly referred to as the Treasury List.

- C. All Bonds shall be executed on the form provided in the Project Manual under Section 00600 entitled *Contract Bond*.
- D. The Contract Bond shall be duly executed by the Bidder, a Surety licensed in Mississippi signed by a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department OR signed by the Surety AND countersigned by a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department with the name and address typed, or lettered legibly. (with embossed seal). [http://www.mid.state.ms.us/licapp/search\\_main.aspx](http://www.mid.state.ms.us/licapp/search_main.aspx)
- E. All Bonds must be accompanied by an appropriate Power of Attorney dated same as the Contract Bond.

#### **X PART 5 - BIDDER'S CHECKLIST**

The following checklist is for the Bidder's assistance only. It is not inclusive and **is not a part of the bid documents**; therefore, this checklist does not have to be included with the Proposal Form when submitting a bid proposal.

- 5.01 **PROPOSAL FORM:** (only one original proposal form to be submitted) (also see 3.01 and 600.42 of the BOB Manual)

**Base Bid**

- ( ) Write in the amount of the base bid in words and numbers. The written word shall govern.

**Alternates**

- ( ) Write in each alternates amount in words and numbers. The written word shall govern.

**Addenda**

- ( ) Acknowledge the receipt of each addendum by writing in the number of the addendum and the date received.

**Acceptance**

- ( ) Proposal is signed by authorized person
- ( ) Name of Business - complete spelling of bidder's name and address - exactly as recorded at the Secretary of State [<http://www.sos.state.ms.us/busserv/corp/soskb/csearch.asp>] which should be the same as bidder's application with the Mississippi State Board of Contractors [<http://www.msdoc.us/Search2.CFM>] (see 2.07, 3.01, 5.01, proposal form)
- ( ) Legal address of the business listed above (at SOS and Contractor's Board)
- ( ) Correct Certificate of Responsibility Number(s) as it appears in the current Mississippi State Board of Contractors Roster

**Certificate of Responsibility Number(s) on envelope (see below for on proposal form)**

- ☐ Base Bid is under \$50,000 and no number is required
- ☐ Base Bid is under \$50,000 and the statement "bid does not exceed \$50,000" is on the outside of the sealed envelope
- ☐ Base Bid is over \$50,000 and number is required
- ☐ Joint Venture and *joint venture* number is required
- OR** ☐ Joint Venture participants' numbers are required

**5.02 BID SECURITY:**

- ☐ Included Bid Bond
- OR** ☐ Included Certified Check

**5.03 POWER OF ATTORNEY:**

- ☐ Included Power of Attorney

**5.04 NON-RESIDENT BIDDER:**

- ☐ Attached a Copy of Non-Resident Bidder's Preference Law
- OR** ☐ Attached a Statement

**ATTACHMENT B**  
**PROPOSAL FORM**  
**SECTION 00300**

To: Mississippi Department of Marine Resources  
Attn: Erin Gallagher  
1141 Bayview Avenue  
Biloxi, MS 39530

Re: RFX#:3160001171

Project Title: MDMR Interior Office Painting Project  
Location: Biloxi, Mississippi

I propose to complete all work in accordance with the Project Manual within **six (6) weeks** of notice to proceed for the sum of:

**BASE BID:** (Write in the amount of the base bid in words and numbers. The written word shall govern.)

\_\_\_\_\_ Dollars  
(\$\_\_\_\_\_)

**ALTERNATES:** (Write in the amount of all of the alternates in words and numbers. The written word shall govern.)

**Alternate #1** ( ) Adds ( ) Deducts

\_\_\_\_\_ Dollars (\$\_\_\_\_\_)  
Description  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Alternate #2** ( ) Adds ( ) Deducts

\_\_\_\_\_ Dollars (\$\_\_\_\_\_)  
Description  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Alternate #3** ( ) Adds ( ) Deducts

\_\_\_\_\_ Dollars (\$\_\_\_\_\_)  
Description  
\_\_\_\_\_

**Alternate #4** ( ) Adds ( ) Deducts

\_\_\_\_\_ Dollars (\$\_\_\_\_\_)

### Description

**Alternate #5** ( ) Adds ( ) Deducts

\_\_\_\_\_ Dollars (\$\_\_\_\_\_)

### Description

**ADDENDA ACKNOWLEDGMENT:** (date below can be the date Addendum was issued OR the date Addendum was received by Bidder)

No. \_\_\_\_\_ Date: \_\_\_\_\_

No. \_\_\_\_\_ Date: \_\_\_\_\_

No. \_\_\_\_\_ Date: \_\_\_\_\_

**ACCEPTANCE:**

I certify that I am authorized to enter into a binding contract, if this Proposal is accepted.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Name and Title \_\_\_\_\_

Name of Business \_\_\_\_\_

Complete spelling of bidder's name and address - **exact as recorded at the Secretary of State** [<http://www.sos.state.ms.us/busserv/corp/soskb/csearch.asp> ] which should be the same as you applied for at the Mississippi State Board of Contractors [<http://www.msboconline.com/Search2.CFM> ] (see 2.07, 3.01, 5.01) **PLEASE LOOK IT UP at SoS. SoS rules when the 2 are different.**

Address \_\_\_\_\_ (mailing)

Address \_\_\_\_\_ (physical)

City/State/Zip Code \_\_\_\_\_ County \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

■ **Bidder's Certificate of Responsibility Numbers(s):**

\_\_\_\_\_

■ **MINORITY BUSINESS ENTERPRISE?** Yes \_\_\_\_\_ No \_\_\_\_\_ (to assist with Code 57-1-57)

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■ **Attach copy of Non-Resident Bidder's Preference Law (5.04 of Bidder's Checklist)**

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■ **Mechanical / Plumbing / Electrical Contractors:** (modified Dec 2013 SoS per 10/17/12 Addendum 1 & Feb 2014) Regarding said Divisions of the Specifications of the BoB Standard Form of Agreement Between The Owner and The Contractor

List any Mechanical/Plumbing and/or Electrical Sub-Contractors that will perform work of this contract. COR must be included where sub-contract exceeds \$50,000.00. If no sub-contractor is listed, and such work is within scope of contract, bidder's own COR classification(s) must be sufficient to self-perform any such work. If no sub-contractor is listed, then use of sub-contractor to perform such scope will not be permitted. This is in accordance with 5.05 and 5.06 of the Bidder's Checklist revised below.

Mechanical Contractor: \_\_\_\_\_ Certificate of Responsibility No. \_\_\_\_\_

Plumbing Contractor: \_\_\_\_\_ Certificate of Responsibility No. \_\_\_\_\_

Electrical Contractor: \_\_\_\_\_ Certificate of Responsibility No. \_\_\_\_\_

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Department of Marine Resources  
IFB – Interior Office Painting Project  
Issued – August 19, 2016

- Mississippi Department of Agriculture & Commerce  
Bureau of Plant Industry  
Landscape License Number \_\_\_\_\_ MS Code 69-19-1 – 69-19-15  
↑Complete for prime landscaping projects

## ATTACHMENT C

**STANDARD CONSTRUCTION CONTRACT  
CERTIFICATE OF INSURANCE**

This certificate of insurance neither affirmatively nor negatively amends, extends, or alters the coverage afforded by the policies below.

INSURED: (Contractor's Name & Address)				COMPANIES PROVIDING COVERAGE w/ MID Lic or NAIC #		
				A		
				B		
PROJECT: (Number, Name & Location)				C		
				D		
				E		
OWNER: Owner				F		
				G		
Companies above must be approved by the MS Ins Dept at <a href="http://www.mid.ms.gov/licapp/search_main.aspx">http://www.mid.ms.gov/licapp/search_main.aspx</a> per Code & WComp at <a href="http://www.mwcc.ms.gov/">http://www.mwcc.ms.gov/</a>						
Type Insurance	Co	Policy Number	Policy Period	Coverage and Minimum Amount		
General Liability Commercial General Liability				General Aggregate	\$ 1,000,000	
				Products Comp/Ops (Aggregate	\$ 1,000,000	
				Personal Injury (Per Occurrence)	\$ 500,000	
				BI & PD (Per Occurrence)	\$ 1,000,000	
				Fire Damage (Per Fire)	\$ 50,000	
				Medical Expense (Per Person)	\$ 5,000	
Owners/Contractors Protective Liability				General Aggregate	\$ 1,000,000	
				Per Occurrence	\$ 500,000	
Automobile Liability				Bodily Injury/Property Damage Combined Single Limit (Per Occurrence)	\$ 500,000	
				OR	Bodily Injury (Per Person)	\$ 250,000
					Bodily Injury (Per Accident)	\$ 500,000
					Property Damage (Per Occurrence)	\$ 100,000
* Excess Liability (Umbrella on projects over \$500,000)				Aggregate	\$ 1,000,000	
				Per Occurrence	\$ 1,000,000	
Workers' Compensation (As required by Statute) Employers' Liability				Accident (Per Occurrence)	\$ 100,000	
				Disease-Policy Limit	\$ 500,000	
				Disease-Per Employee	\$ 100,000	
Property Insurance (not required when project is demolition ONLY – required for ALL other projects including paving)				OR	Builders' Risk Installation Floater	Must be equal to Value of Work
Other						
Certification: I certify that these policies (subject to their terms, conditions and exclusions) have been (1) issued to the Insured for the coverages and at least the amounts as indicated by companies licensed in Mississippi; (2) countersigned by a Mississippi Licensed Agent; and (3) endorsed to require the company to give thirty (30) days written notice to the Owner prior to cancellation or non-renewal of above.						
Producing Agent: (Name, Address and Telephone)				(Signature) (Date) (Name and Title of Authorized Representative) (typed) Agent must be approved by the MS Ins Dept <a href="http://www.mid.ms.gov/licapp/search_main.aspx">http://www.mid.ms.gov/licapp/search_main.aspx</a>		

☐ Check if Mississippi Licensed Agent  
 OR Countersign by Mississippi Licensed Agent

MID Lic # \_\_\_\_\_